



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,039	08/03/2001	Hiroshi Usuda	SONYJP-126	3628

7590 11/04/2004
Lerner David Littenberg
Krumholz & Mentlik
600 South Avenue West
Westfield, NJ 07090

EXAMINER	
HILLERY, NATHAN	
ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/856,039	Applicant(s) USUDA, HIROSHI	
	Examiner Nathan Hillery	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 74-118 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 74-118 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2003 is/are: a) ☒ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/15/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Preliminary Amendment filed on 6/23/03.
2. Claims 74 – 118 are pending in the case. Claims 74, 84, 87 – 89, 99, 102 – 104, 114, 117, and 118 are independent.

Priority

3. Applicant is advised of possible benefits under 35 U.S.C. 119(a)-(d), wherein an application for patent filed in the United States may be entitled to the benefit of the filing date of a prior application filed in a foreign country.
4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
5. Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a translation of the foreign application should be submitted under 37 CFR 1.55 in reply to this action.

Drawings

6. The drawings were received on 6/23/03. These drawings are not acceptable because of noncompliance with 37 CFR 1.121(d). See the following information.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

Replacement Drawing Sheets

Drawing changes must be made by presenting replacement figures which incorporate the desired changes and which comply with 37 CFR 1.84. An explanation of the changes made must be presented either in the drawing amendments, or remarks, section of the amendment. Any replacement drawing sheet must be identified in the top margin as "Replacement Sheet" (37 CFR 1.121(d)) and include all of the figures

Art Unit: 2176

appearing on the immediate prior version of the sheet, even though only one figure may be amended. The figure or figure number of the amended drawing(s) must not be labeled as "amended." If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin.

Annotated Drawing Sheets

A marked-up copy of any amended drawing figure, including annotations indicating the changes made, may be submitted or required by the examiner. The annotated drawing sheets must be clearly labeled as "Annotated Marked-up Drawings" and accompany the replacement sheets.

Timing of Corrections

Applicant is required to submit acceptable corrected drawings within the time period set in the Office action. See 37 CFR 1.85(a). Failure to take corrective action within the set period will result in ABANDONMENT of the application.

If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings MUST be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability." Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136 for filing the corrected drawings after the mailing of a Notice of Allowability.

Specification

7. A substitute specification excluding the claims is required pursuant to 37 CFR 1.125(a) because the number or nature of the amendments render it difficult to consider the application or to arrange the papers for printing or copying, 37 CFR 1.125.

A substitute specification must not contain new matter. The substitute specification must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject

matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) and a statement that the substitute specification contains no new matter must also be supplied. Numbering the paragraphs of the specification of record is not considered a change that must be shown.

It is noted that the Applicant has, upon cursory review, met many if not all of the requirements explained above. The Office simply requests that the Applicant submit the specification as a substitute specification and not in the form of an amendment.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 74 – 118 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hishida et al. (US 6477549 B1).

10. **Regarding independent claim 74**, Hishida et al. teach *a device specification information storage unit for storing a plurality of pieces of device specification information* (Column 2, lines 45 – 47), which provide for **storing output attributes of an output device**. Hishida et al. teach that *according to the present embodiment, the*

style sheet for a mobile communication terminal that has received a transmission document is extracted from a plurality of style sheets, in each of which the input/output information for one type of mobile communication terminal such as pagers is described, attached to the received transmission document. As a result, it is possible to process the received document according to the type of the mobile communication terminal that receives the received document (Column 18, lines 21 – 29), which provide for obtaining at least one style sheet based on attributes selected from at least one of the group consisting of said output attributes and said content attributes, said style sheet including output format information. Hishida et al. do not explicitly teach processing said content data using said style sheet for output via an output device. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to modify and/or use the invention of Hishida et al. to provide for processing said content data using said style sheet for output via an output device, since Hishida et al. do teach that a tag 304 <BODYSTYLE = "font:normal"> represents the beginning of the content of an HTML document, and shows that a normal font is used in the HTML document (Column 9, lines 19 – 21) and that when receiving the transmission document creation instruction, the transmission document creation unit 208 writes a tag 601 <HTML> that represents the beginning of an HTML document and a tag 602 <HEAD> that represents the beginning of attached information such as a "Style Sheet" (Column 10, lines 45 – 49).

11. **Regarding dependent claims 75 and 76,** Hishida et al. teach that *while the HTML is used as a markup language in the above-described embodiments, such a*

*markup language is not necessarily limited to the HTML. For instance, the XML (Extensible Markup Language) may be used in describing transmission documents (Column 20, lines 10 – 14), which provide that **said content data is written in a computer language format that includes arbitrarily definable tags**, and that **said computer language format includes extended markup language (XML) tags**.*

12. **Regarding dependent claim 77**, Hishida et al. teach that a tag 304 *<BODYSTYLE="font:normal">* represents the beginning of the content of an HTML document, and shows that a normal font is used in the HTML document (Column 9, lines 19 – 21), which provide that **said content data includes data selected from the group consisting of text data, still picture data, animation data, and voice data**.

13. **Regarding dependent claims 78 and 79**, Hishida et al. teach that *when the display data 1301 shown in FIG. 13 is displayed on the display 214 and when a signal that the "select button" on a pager 107 is pressed is transmitted from the input information conversion unit 212, the simulation operation execution unit 213 obtains the "onclick information" that has been stored, and changes the type of the font of the display data 1301 into italic according to the program of the script 309 described on the document body 612 in the transmission document 615. As a result, display data 1501 shown in FIG. 15 is displayed on the display 214 (Column 15, lines 14 – 23), which provide that **said style sheets include scripts that define said output format information as a function of said output attributes**, and that **said output attributes are selected from the group consisting of an output device display type, an***

output device resolution, an output device manufacturer's name, and an output device model name.

14. **Regarding dependent claim 80**, Hishida et al. teach that *according to the present embodiment, the style sheet for a mobile communication terminal that has received a transmission document is extracted from a plurality of style sheets, in each of which the input/output information for one type of mobile communication terminal such as pagers is described, attached to the received transmission document. As a result, it is possible to process the received document according to the type of the mobile communication terminal that receives the received document* (Column 18, lines 21 – 29), which provide for **obtaining a plurality of style sheets, and selecting at least one of said plurality of style sheets based on said at least one of said output attributes and said content attributes.**

15. **Regarding dependent claims 81 and 82**, Hishida et al. teach that *transmitted via public networks in the above-described embodiments, the transmission documents may be transmitted from broadcasting stations as broadcast waves* (Column 20, lines 15 – 17), which provide for **obtaining said at least one style sheet via a broadcast, and for obtaining said at least one style sheet via a network.**

16. **Regarding dependent claim 83**, Hishida et al. teach that *the present invention may be realized by recording a program that achieves the functions of each element in these devices on a computer-readable storage medium* (Column 20, lines 23 – 25), which provide for **obtaining said at least one style sheet via a portable recording medium.**

17. **Regarding independent claim 84**, the claim incorporates substantially similar subject matter as claims 74, 80, and 82, and is rejected along the same rationale.
18. **Regarding dependent claim 85**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.
19. **Regarding dependent claim 86**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.
20. **Regarding independent claim 87**, the claim incorporates substantially similar subject matter as claims 74 and 81, and is rejected along the same rationale.
21. **Regarding independent claim 88**, the claim incorporates substantially similar subject matter as claims 74 and 84, and is rejected along the same rationale.
22. **Regarding independent claim 89**, the claim incorporates substantially similar subject matter as claims 74, and is rejected along the same rationale.
23. **Regarding dependent claim 90**, the claim incorporates substantially similar subject matter as claims 75, and is rejected along the same rationale.
24. **Regarding dependent claim 91**, the claim incorporates substantially similar subject matter as claims 76, and is rejected along the same rationale.
25. **Regarding dependent claim 92**, the claim incorporates substantially similar subject matter as claims 77, and is rejected along the same rationale.
26. **Regarding dependent claim 93**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.
27. **Regarding dependent claim 94**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.

28. **Regarding dependent claim 95**, the claim incorporates substantially similar subject matter as claims 80, and is rejected along the same rationale.
29. **Regarding dependent claim 96**, the claim incorporates substantially similar subject matter as claims 81, and is rejected along the same rationale.
30. **Regarding dependent claim 97**, the claim incorporates substantially similar subject matter as claims 82, and is rejected along the same rationale.
31. **Regarding dependent claim 98**, the claim incorporates substantially similar subject matter as claims 83, and is rejected along the same rationale.
32. **Regarding independent claim 99**, the claim incorporates substantially similar subject matter as claims 74, 80, and 82, and is rejected along the same rationale.
33. **Regarding dependent claim 100**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.
34. **Regarding dependent claim 101**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.
35. **Regarding independent claim 102**, the claim incorporates substantially similar subject matter as claims 74 and 81, and is rejected along the same rationale.
36. **Regarding independent claim 103**, the claim incorporates substantially similar subject matter as claims 74 and 84, and is rejected along the same rationale.
37. **Regarding independent claim 104**, the claim incorporates substantially similar subject matter as claims 74, and is rejected along the same rationale.
38. **Regarding dependent claim 105**, the claim incorporates substantially similar subject matter as claims 75, and is rejected along the same rationale.

39. **Regarding dependent claim 106**, the claim incorporates substantially similar subject matter as claims 76, and is rejected along the same rationale.
40. **Regarding dependent claim 107**, the claim incorporates substantially similar subject matter as claims 77, and is rejected along the same rationale.
41. **Regarding dependent claim 108**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.
42. **Regarding dependent claim 109**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.
43. **Regarding dependent claim 110**, the claim incorporates substantially similar subject matter as claims 80, and is rejected along the same rationale.
44. **Regarding dependent claim 111**, the claim incorporates substantially similar subject matter as claims 81, and is rejected along the same rationale.
45. **Regarding dependent claim 112**, the claim incorporates substantially similar subject matter as claims 82, and is rejected along the same rationale.
46. **Regarding dependent claim 113**, the claim incorporates substantially similar subject matter as claims 83, and is rejected along the same rationale.
47. **Regarding independent claim 114**, the claim incorporates substantially similar subject matter as claims 74, 80, and 82, and is rejected along the same rationale.
48. **Regarding dependent claim 115**, the claim incorporates substantially similar subject matter as claims 78, and is rejected along the same rationale.
49. **Regarding dependent claim 116**, the claim incorporates substantially similar subject matter as claims 79, and is rejected along the same rationale.

50. **Regarding independent claim 117**, the claim incorporates substantially similar subject matter as claims 74 and 81, and is rejected along the same rationale.

51. **Regarding independent claim 118**, the claim incorporates substantially similar subject matter as claims 74 and 84, and is rejected along the same rationale.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NH



SANJIV SHAH
PRIMARY EXAMINER